

19-1-303 Criminal and civil penalties -- Liability for violations.

- (1)
 - (a) Any person who violates any provision of this title or lawful orders or rules adopted under this title by the department shall:
 - (i) in a civil proceeding be assessed a penalty not to exceed the sum of \$5,000; or
 - (ii) in a criminal proceeding:
 - (A) for the first violation, be guilty of a class B misdemeanor; and
 - (B) for a subsequent similar violation within two years, be guilty of a class A misdemeanor.
 - (b) In addition, a person is liable for any expense incurred by the department in removing or abating any violation.
- (2) Assessment or conviction under this title does not relieve the person assessed or convicted from civil liability for any act which was also a violation of the public health laws.
- (3) Each day of violation of this title or rules made by the department under it may be considered a separate violation.
- (4) The enforcement procedures and penalties provided in Subsections (1) through (3) do not apply to chapters in this title which provide for other specific enforcement procedures and penalties.
- (5) Unless otherwise specified in statute, the department shall deposit all civil penalties and fines imposed and collected under this title into the General Fund.

Amended by Chapter 324, 1995 General Session